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*Special Counsel to Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DEFENDANTS IN ADVERSARY PROCEEDINGS  
LISTED ON EXHIBIT 1 ATTACHED HERETO,

Defendants.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. Nos. listed on Exhibit 1  
Attached Hereto

**JOINDER TO THE TRUSTEE'S MEMORANDUM OF LAW  
IN SUPPORT OF OMNIBUS MOTION FOR LEAVE TO REPLEAD  
PURSUANT TO FED. R. CIV. P. 15(a) AND COURT ORDER AUTHORIZING  
LIMITED DISCOVERY PURSUANT TO FED. R. CIV. P. 26(d)(1)**

Windels Marx Lane & Mittendorf, LLP (“Windels Marx”) is special counsel to Irving H. Picard, as trustee (the “Trustee”) for the liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff and is counsel of record for the Trustee in the adversary proceedings listed on Exhibit 1.

In the above noted capacity, Windels Marx hereby joins in its entirety the Trustee’s Memorandum of Law in Support of Omnibus Motion for Leave to Replead Pursuant to Fed. R. Civ. P. 15(a) and Court Order Authorizing Limited Discovery Pursuant to Fed. R. Civ. P. 26(d)(1) filed by Baker & Hostetler LLP on August 28, 2014 in the main docket of this case, *SIPC v. Bernard L. Madoff Investment Securities LLC*, Adv. Pro. No. 08-01789 (SMB) [Dkt. No. 7827] (the “Memorandum”), and all arguments asserted therein.

For the reasons set forth in the Memorandum, the Trustee respectfully requests that the Bankruptcy Court enter an order: (i) granting him leave to replead the operative complaints in the adversary proceedings listed on Exhibit 1, pursuant to Fed. R. Civ. P. 15(a), made applicable to this proceeding pursuant to Fed. R. Bank. P. 7015; and (ii) directing the defendants identified on Exhibit 1 to comply with the Proposed Limited Document Demands attached as Exhibit B to the Declaration of Howard L. Simon dated August 28, 2014 pursuant to Fed. R. Civ. P. 26(d), made applicable to this proceeding by Fed. R. Bankr. P. 7026(d).

Dated: August 28, 2014  
New York, New York

/s/ Howard L. Simon  
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